

the agriculture appropriations conference tomorrow, and then people will wash their hands and say, "We sure took care of that."

No, they won't have taken care of anything. All they will have done is nudged enough resources out of the scarce pot of money to get them from here to December, to be able to say to farmers here is a little, but it is not enough. We understand you won't make it.

There are some of us in this Chamber who are not willing to stand for that and are not willing to let that be the last word on the fight for the family farmers' future in the 105th Congress. I don't mean to sound challenging—yes, I do, now that I think about it. Of course I do. It is unforgivable in my judgment when we have people coming to the floor of the Senate and the House and there are hundreds of millions of dollars here and billions of dollars there and they have appetites for everything and everything is important, for us to go home and decide it is not important to save family farmers. I do want to challenge that.

In my judgment, that is a goofy set of priorities for this country. Thomas Jefferson said 200 years ago that those who live on that land and produce that food are the best Americans, the first Americans. He wasn't necessarily saying that nobody else is any good, I am sure. Thomas Jefferson believed in everyone's worth and he believed in broad-based economic ownership. Part of what makes this country so strong is the opportunities for people around the country to engage in broad-based ownership of America's economy and resources. No one represents that more than families living on the farm trying to make a decent living.

I hope in the next 2 weeks we will have the opportunity to convince the leadership of this Congress that family farmers matter and the submission on Monday by President Clinton of an emergency plan to respond to this farm crisis is the right step for this Congress to take. If Congress does not stand for family farmers, if it fails to take the step the President has requested, if it decides that this doesn't matter somehow, then we will have made a very fatal error.

The Senator from Kentucky stood on this floor month after month this year in very tough circumstances when we were debating the tobacco bill. He said he understood the public policy issues of tobacco, but he said I want the Congress to understand the public policy issues of family farmers out there raising tobacco, as well. Their interests need to be heard. I know he did that and I watched the passion with which he did that. He feels very strongly about the interests of those family farmers. I feel as strongly about his farmers as I do about mine and all of the farmers up and down that farm belt.

I just want to say to those who think they will shortcut this issue and they

will ram some pathetic plan home tomorrow, take a deep breath, because you are in for a heck of a fight in the coming weeks if you think that is how you will solve the problem.

I yield the floor.

Mr. FORD. Mr. President, let me compliment and thank my friend from North Dakota. No one has worked harder or spoken more eloquently in support of the small family farm than the Senator from North Dakota. How well I understand what he is going through.

We heard on this floor yesterday afternoon that we are getting ready to spend money for "emergencies," but we ought to give a tax break. What is an emergency? Farmers, the Senator said. We should have known there would be a drought or there would be too much water. We ought to have put money in the budget for it.

"Emergency" is something that is on occasion. We cannot anticipate an emergency. We can't do that. But a tax break is in perpetuity. It goes on forever. Emergency is one time.

So we try to cover up by accelerating the payments under Freedom to Farm. I voted against the North American Free Trade Agreement, one of seven in this body. It is awfully hard to get a Senator with something on his mind, with a philosophy that never looks in the future. The future is now at hand on that vote on the North American Free Trade Agreement when we are being flooded not only with farm products but wool and everything else relating to our people trying to make suits, pants and so forth in the textile business. It is driving our people out of this country.

The Senator is absolutely correct, we need that safety net for our farmers.

I have sat on too many front porches of farm families. I have been in the kitchen with the farmer and his wife and family. I understand what they are going through. They can't compete.

One of the finest men I know was in my office yesterday taking a load of hogs to the slaughter house. He got \$3,500 for hogs that a year ago would have brought \$7,000. What did he get? Nothing. We don't have any compassion for him; we don't have any reason to try to help him keep that farm. He put everything into that load of hogs. What does he get back? He couldn't even pay for the feed.

So we say "compete." Competition is like dialing a new bank at home. The tape says if you want so and so, push 1; if you want so and so, push 2; if you want so and so, push 3. You keep on pushing the phone and finally people throw the phone out the door. They want to talk to a human being, but we call another State to talk about local loan problems or financial problems.

We are getting into an intolerable situation. I hope the Senator never lets his vote die as it relates to the family farm. I compliment the Senator for what he is trying to do.

I understand we have been debating the aviation bill, but he has an amend-

ment that talks sense. The commodity we have so little of here is common sense. Common sense, I think, if it prevails, the Senator might win a couple of amendments in the not-too-distant future.

I yield the floor.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

LETHAL DRUG ABUSE PREVENTION ACT

Mr. WYDEN. Mr. President, today I informed the minority leader that I will object to any unanimous consent requests to proceed to S. 2151 or any similar legislation containing provisions that would override Oregon's assisted suicide law. Should S. 2151, the Lethal Drug Abuse Prevention Act come to the floor, I intend to insist that this body clearly hear the arguments against this legislation before voting on it, even if I must filibuster to assure that this occurs.

Let me state, as I have done before on this floor, that I have personal reservations about the assisted suicide concept. I voted twice against assisted suicide in my home State, and I joined our colleagues in voting against Federal funding of assisted suicide.

I personally believe that nowhere near enough has been done to promote hospice care, pain management, comfort care, and other approaches to deal with the end of life.

The people of my State entered into an honest, direct, and exhausting discussion on the issue of assisted suicide—not once, but twice—through our public referenda process. I am not going to let that vote be set aside without an extended debate on the floor of the U.S. Senate.

S. 2151 attempts to override the popular will of the citizens of my State who have made a judgment about what is acceptable medical practice. Medical practice is a matter that has been traditionally left to the States to regulate. However, in overriding the will of the Oregon voters, S. 2151 strikes at the people across this country who are terminally ill and the millions of individuals who suffer in great pain daily.

Almost all of our States have laws in effect, or about to go into effect, with respect to physician-assisted suicide. All of our States have laws that regulate medical practice, including the use of controlled substances. The underlying message of S. 2151 is that the U.S. Congress knows better than voters in Coos Bay, Bend, and La Grande, OR. Does this Congress, meeting here in Washington, DC, believe it is better equipped than the citizens of my State to make moral decisions about acceptable medical practice in Oregon?

This Senator is not going to sit by while there is an abbreviated debate that cuts off the rights of Oregonians. I want the Senate to understand that today.

S. 2151 would amend the Controlled Substances Act to allow the Drug Enforcement Agency to deny DEA registration of providers determined to have assisted in causing or participating in a physician-assisted suicide. The advocates of this legislation say that good physicians would have no problem with this legislation.

The record shows otherwise. The record shows that more than 50 medical groups, including physicians, nurses, pharmacists, and hospice programs—a variety of medical groups—believe this legislation would have a chilling effect on pain management programs, on hospice care services, and on comfort care. I want my colleagues to understand that. More than 50 medical groups in our country believe this legislation will have a chilling effect on our ability to make sure that our citizens can get good pain management services, hospice programs and comfort care.

What is especially striking is that even Americans who are opposed to Oregon's law and are opposed to assisted suicide do not want to see the U.S. Congress overturn this law. Pain management, palliative care, and hospice services are still evolving fields. Not enough has been done to comfort patients in these tragic situations, and Americans know that in the current regulatory environment there can be a chilling effect on the pain management services by laws such as the one proposed in S. 2151. This legislation also runs counter to the recent Supreme Court decision on physician-assisted suicide that encourages the States to continue to debate this question.

Mr. President, this bill is not going to stop assisted suicide. What it is going to do is set up new roadblocks to ensuring that there are good pain management programs in our country. This bill is going to harm pain management for millions of Americans, turn the resources of the Drug Enforcement Agency from looking at drug diversion and drug trafficking to reviewing the intent of physicians and pharmacists as they try to alleviate the pain of their patients. That is not what the DEA was set up to do. It was not set up to deal with overseeing hospice programs, and the like.

If Congress tramples on the twice-expressed popular will of the people of Oregon, it is going to feed the fires of cynicism and frustration about Government across our land.

Mr. President, I will conclude with this. We all know that so often in coffee shops, churches, grange halls and senior centers, we hear Americans say: You know, our vote doesn't matter. After we vote, those politicians are going to say we really don't get it, the citizens don't understand. So we will just vote again; we will just vote, vote and vote until we set aside what their judgment has been.

I am here to say that I don't think the U.S. Congress knows better than those voters in Coos Bay and Bend and

La Grande. I don't think the U.S. Congress, meeting here in Washington, DC, is better equipped than the citizens of my State to make a moral decision about what is acceptable medical practice in Oregon. This Congress should not try to settle this issue in a hasty debate in the last hours of the U.S. Congress.

I have informed the minority leader that I will have a hold on this legislation. Senator GRASSLEY and I have, for some time, been encouraging Senators to announce publicly their intentions with respect to holds. I have done that in a letter to Senator DASCHLE. I will make that letter a part of the RECORD. I am going to insist on my rights as a Senator, representing thousands and thousands of Oregonians who have weighed in on this issue, that this Senate is going to have a real debate on this legislation before there is a vote on it. I am going to assure that there is such a debate, even if I must filibuster to assure that this occurs.

I ask unanimous consent that my letter to Senator DASCHLE be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, September 23, 1998.

Hon. TOM DASCHLE,

Minority Leader,

U.S. Capitol, Washington, DC.

DEAR SENATOR DASCHLE: I previously wrote you requesting I be consulted should S. 2151 or any other legislation concerning physician assisted suicide come to the Senate floor for consideration.

I am now writing to clearly state that I will object to any motion to proceed should S. 2151 or any legislation containing provisions over-riding Oregon's physician assisted suicide law come to the Senate floor.

Should you have any questions, please feel free to contact Stephanie Kennan of my staff at 4-6070.

Sincerely,

RON WYDEN.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. GRAMS. I ask unanimous consent to speak as in morning business for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. GRAMS pertaining to the introduction of S. 2517 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

WENDELL H. FORD NATIONAL AIR TRANSPORTATION SYSTEM IMPROVEMENT OF 1998

The Senate continued with the consideration of the bill.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, for the benefit of our colleagues, we are rapidly reaching the point where we only have a couple more amendments which will require debate and votes.

I urge those who have amendments to come to the floor so that we can get moving on those.

We will be able, I think, to conclude the amending process before 6 o'clock this evening.

In the meantime, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRAMS). Without objection, it is so ordered.

PATIENTS' BILL OF RIGHTS

Mr. KENNEDY. Mr. President, I want to point out once again to the Senate that we have been in a quorum call for about a half hour, and we are waiting to conclude the FAA legislation. As I understand, it has been tentatively agreed to be concluded later in the afternoon sometime—5 or 6 o'clock this evening—and we can anticipate perhaps one or two more votes.

But I want to bring to the attention of the Senate again that we could be using this time to debate the Patients' Bill of Rights. We have by now seen the majority leader's priorities—the FAA bill, which is important to a number of communities, including my own State of Massachusetts is not a matter of insignificance—but we have had the salting legislation, we have had other pieces of legislation that have been advanced, and still the Republican leadership refuses to call up or permit our debate here on issues relating to the quality of health of some 140 million Americans, those Americans that are covered in various HMOs.

In my own State of Massachusetts, we have some of the very best in terms of HMOs. The HMO program really took off, expanded, and we now find many high-quality HMOs. But in my State, and across the country, HMOs too often are making judgments and decisions based upon what insurance company accountants say, not what members of the medical profession recommend.

I heard the President of the United States speak eloquently about his strong support for the Patients' Bill of Rights just a few days ago. And he made a point which I think is worth underlining here in the U.S. Senate this afternoon. He said that no one in these HMOs ever loses their job when they deny a procedure that a patient's doctor requests, because these HMOs are organized so that there are several different levels of approval required to receive medical care.

The deep concern that many of us have is that these decisions be made at the ground level—by doctors and other trained medical professionals—so that American families receive the care that they need.